

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD DEAN CASSIDY,

Defendant.

CR-17-59-GF-BMM

ORDER

On January 24, 2018, the Court conducted a competency hearing in this case. Based upon the report of Forensic Psychologist Dr. Ryan Nybo, Psy.D., and the Defendant's inability to effectively communicate with the Court or Counsel during the hearing, the Court finds that Defendant suffers from Major Vascular Neurocognitive Disorder with associated severe deficits in expressive language abilities. As a result, the Court concludes that the preponderance of the evidence indicates that Cassidy lacks the present ability to understand the nature and consequences of the court proceedings against him and is currently unable to properly assist in his defense.

Accordingly, **IT IS HEREBY ORDERED:**

1. The defendant, Edward Dean Cassidy, is committed to the custody of the Attorney General under 18 U.S.C. § 4241(d).

2. The Attorney General shall hospitalize Defendant in a suitable facility for a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future Defendant will attain the capacity to permit the trial to go forward.

3. The Attorney General shall provide the Court with a report on Defendant's mental condition and competency to stand trial no later than four months from the date of commencement of Defendant's hospitalization and treatment.

4. The Court finds that the time while the defendant is committed to the Attorney General under 18 U.S.C. § 4241(d) is excludable time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(A).

5. The trial presently set for Tuesday, February 20, 2018 is **VACATED**, and will be reset if necessary by further order of the Court.

DATED this 24th day of January, 2014.



Brian Morris
United States District Court Judge